

FILED

JUN 25 2010

PER
HARRISBURG, PA. DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

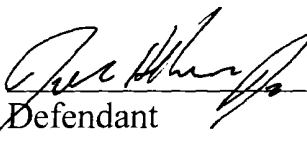
JOHN H. HUGHES, JR.

Defendant.

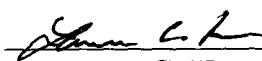
: No. 1:10-cr-190-01-YK
:
: (The Honorable Yvette Kane)
:
: (Electronically filed)
:
:

**DEFENDANT HUGHES' NOTICE OF ASSERTION OF RIGHTS UNDER
AMENDMENTS V AND VI TO THE UNITED STATES CONSTITUTION**

I, John H. Hughes, Jr., Defendant in the above-captioned case, hereby assert all of my rights under Amendments V and VI to the United States Constitution, including the right to remain silent and have counsel present for all matters involving federal, state and local law enforcement agents or anyone acting on their behalf.¹ I do not waive, nor do I intend to waive, any constitutional rights unless I do so in writing and in the presence of counsel. Further, I decline all future contacts with government agents unless my attorney is present, including any contacts that might result in the waiver of any constitutional rights.


Defendant

6-22-10
Date


Laurence C. Kress, Esquire
PA Bar No. 93137
Counsel for John Hughes, Jr.


¹In *Berghuis v. Thompkins*, 560 U.S. ____ (2010), the Supreme Court held that a person must affirmatively and unambiguously invoke their *Miranda* right to counsel. This notice constitutes affirmative and unambiguous invocation of that and all other constitutional rights.

CERTIFICATE OF SERVICE

I hereby certify that on the date listed below I served a copy of the foregoing Notice of Assertion of 5th and 6th Amendment Rights via 1st Class Mail upon the following:

Christy Fawcett, Esquire
United States Attorney's Office
228 Walnut Street, Suite 220
P.O. Box 11754
Harrisburg, PA 17108-1754

Dated: June 23, 2010



Laurence C. Kress, Esquire